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FILED

08 JUN -9 PM 2: 19

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 JAMES BROWN)

Case No. C07-02743 PJH

12 Plaintiff,)

NOTICE OF UNAVAILABILITY

13 vs.)

14 STATE FARM MUTUAL AUTOMOBILE)
15 INSURANCE COMPANY AND DOES 1)
16 through 25 INCLUSIVE,)
17 Defendants.)

18 NOTICE IS HEREBY GIVEN that commencing July 25, 2008 through August 2,
19 2008, John T. Bell will be on vacation and unavailable for any purpose whatsoever, including but
20 not limited to receiving notices of any kind, responding to ex parte applications, appearing in
21 court or attending depositions.

22 Purposefully scheduling a conflicting procedure without cause is sanctionable
23 conduct. (*Tenderloin Housing Clinic v. Sparks* (1192) 8 Cal.App.4th 299)

24 DATED: May 21, 2008

LAW OFFICES OF JOHN T. BELL

26 BY: 

JOHN T. BELL

Attorney for Plaintiff James Brown

CASE NAME: Brown v. State Farm
ACTION NO.: C07-02743 PJH

PROOF OF SERVICE

I am a citizen of the United States. My business address is 610 – 16TH St., Ste. 421, Oakland, CA 94612. I am employed in the County of Alameda where this service occurs. I am over the age of 18 years, and not a party to the within cause. I am readily familiar with my employer's normal business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day of collection in the ordinary course of business.

On the date set forth below, following ordinary business practice, I served a true copy of the foregoing document(s) described as:

• **NOTICE OF UNAVAILABILITY**

____ (BY PERSONAL DELIVERY) by personally delivering true copies to said person.

____ (BY FAX) by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.

✓ ____ (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Oakland, California.

Stephen P. Ellingson, Esq.
Hayes Davis Bonino, et al.
203 Redwood Shores Pkwy., Ste. 480
Redwood Shores, CA 94065

✓ ____ (FEDERAL) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 21, 2008 at Oakland, California.


John T. Bell